1018/1450

BOOK 5075 PAGE 360

IN THE FOURTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

MARY PAULINE BAIRD DUKE	)	
	)	
VS.	)	NO. 83060
	)	
JAMES RAYMOND DUKE	)	

9-16-76

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ORDER

This cause came on to be heard September 20, 1976, before the Honorable Benson Trimble, Judge of the Fourth Circuit Court of Davidson County, Tennessee, upon the original bill of the plaintiff, statement of counsel that the defendant did not desire to proceed with his answer, permission granted for the plaintiff to amend her petition in open court to ask for an absolute divorce instead of a divorce a mensa et thoro, witnesses introduced in open court and the entire record in this cause.

From all of which the Court was of the opinion that the allegations contained in the original bill were fully sustained, that is, that the defendant has been guilty of such cruel and inhuman treatment or conduct toward plaintiff as renders cohabitation unsafe and improper.

It is, therefore, ORDERED, ADJUDGED and DECREED by the Court that the plaintiff be and she is hereby granted an absolute divorce from the defendant and restored to all the rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED and DECREED by the Court that the property settlement agreement entered into by and between the parties orally is approved.

It is, therefore, ORDERED, ADJUDGED and DECREED by the Court that whatever right, title or interest that the defendant has or may have in the hereinafter described real estate which is the home place of the parties be divested out of him and vested in the plaintiff as her sole property. Said property is described as follows:

> Land in Davidson County, Tennessee, being Lot No. 50 on the Plan of Hickory Bend, Section V, as of record in Book 3600, page 45.

Said Lot No. 50 is described as follows: Beginning at a point in the southeasterly margin of Percy Priest Drive, at the corner of Lots 49 and 50; thence with the line between said lots, southerly 110 feet to a corner of lot No. 51; thence with the line between Lots 50 and 51, easterly 81.1 feet to a point in the westerly margin of Fitzpatrick Road; thence with the margin of the same, northerly 95 feet to a point at the beginning of a curve; thence around said curve, northwesterly 39.27 feet to a point in the southerly margin of Percy Priest Drive; thence with the margin of the same, westerly 96.06 feet to the point of beginning.

Being the same property conveyed to James R. Duke and wife, Mary B. Duke, by deed from Jerome Louis Steimle and wife, Janice M. Steimle, of record in Book _____, Page _____, Register's Office for Davidson County, Tennessee.

It is further ORDERED, ADJUDGED and DECREED by the Court that the defendant will pay to Associates Finance the balance of the second mortgage on said real estate which is in the amount of $54.00 per month for approximately twenty (20) more months.

It is further ORDERED, ADJUDGED and DECREED by the Court that the defendant will pay to the plaintiff the sum of $50.00 per month for five (5) years commencing in October, 1976.

It is further ORDERED, ADJUDGED and DECREED by the Court that whatever right, title or interest that the defendant has or might have in a 1972 Duster automobile and all the furniture and household furnishings be divested out of him and vested in the plaintiff as her sole property.

It is further ORDERED, ADJUDGED and DECREED by the Court that whatever right, title or interest that the defendant has or might have in the two grave lots at Woodlawn Cemetery be divested out of him and vested in the plaintiff as her sole and separate property.

It is further ORDERED, ADJUDGED and DECREED by the Court that the defendant will keep in force and effect a certain insurance policy on his life with Jefferson Standard Life Insurance Company wherein the plaintiff is the beneficiary and the face amount of the policy is $2500.00, said policy being No. 682,173 and defendant will pay all the premiums on

this policy and under no circumstances will permit the same to become lapsed or the beneficiary changed therein.

It is further ORDERED, ADJUDGED and DECREED by the Court that the defendant will pay to the plaintiff's solicitor of record, Howard F. Butler, the sum of $500.00.

The defendant will pay the costs of this cause for which execution may issue.

JUDGE

9-27-76

APPROVED FOR ENTRY:

Howard F. Butler, Howard F. Butler, Attorney for Plaintiff

H. Philip Sadler, Attorney for Defendant

OCT-5?? MISC 8* 6.00 * 6.00

FILED
OCT 5 1976 1:48 PM
FELIX E. DAVIDSON
REGISTER
DAVIDSON COUNTY, TENN.

IDENTIFICATION REFERENCE

D 7 1 4 7.

STATE OF TENNESSEE

I, GEORGE L. ROOKER, *Clerk of the Circuit Court for the County of Davidson, in the State aforesaid, do certify that the foregoing is a correct transcript of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* MARY PAULINE BAIRD DUKE *Plaintiff, and* JAMES RAYMOND DUKE *Defendant, as same remain of record in said Court.*

IN TESTIMONY WHEREOF, *I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the* 4th. *day of* OCTOBER *in the year one thousand nine hundred and* SEVENTY-SIX *and in the* 201st. *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By June Smith, *D. C.*